



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, NOVEMBER 11, 2003

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR JOSEPH H. MUELLER
VICE-CHAIR CHARLES D. WESTON
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE

WORKSHOP - 5:00 P.M.

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

PLANNING COMMISSION MEETING AGENDA

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1. WORKSHOP - 5 P.M.

City Council/Commissions/Board workshop regarding Conflict of Interest and Ethics.

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

PUBLIC HEARINGS

MINUTES: October 28, 2003

CONSENT CALENDAR:

1. **EXTENSION OF TIME, EOT-03-19: MONTEREY-SINALOA:** A request for a three-year extension of a use permit approval for the reconstruction and expansion of a 5,820-sf restaurant (Sinaloa Restaurant), located in the CS Service Commercial Zoning District at the northeast corner of Monterey Road and Peebles Avenue. (APNs 726-41-016 &-017)

Recommendation: Adopt Resolution No. 03-87, approving extension of time request.

NEW BUSINESS:

- 2) **SUBDIVISION AMENDMENT, SDA-01-11: COCHRANE-MISSION RANCH:** A request to amend the recorded tract map for phase 6 of the Mission Ranch subdivision located on the south west corner of the intersection of Peet Rd. and Cochrane Rd. The requested amendments include the shift in the center line of Peet Rd. 15.5 ft. to the northeast, a 5-10 ft. increase in the lot depth on lots 1-9 and a 5 ft. reduction in the lot width on lot 11. (Tract number 9424)

Recommendation: Open Public Hearing and Adopt Resolution No. 03-88, with recommendation to forward to the City Council for approval.

- 3) **VARIANCE, VAR-03-02: JACKSON OAKS-CITY OF MORGAN HILL BOOSTER**

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STATION: A request for approval of a Variance to allow a 21-foot side yard setback for the south property line and a 19-foot side yard setback for the north property line from the required 50-foot side yard setback for a proposed building on a 38-acre lot located approximately 600-feet east of Hill Top Court. The site is located in the Open Space (OS) zoning district. (APN 729-20-002 & 729-26-001)

Recommendation: Open Public Hearing and Adopt Resolution No. 03-89, approving request.

OTHER BUSINESS:

- 4) **HOLIDAY MEETING SCHEDULE:** A request to cancel the December 23, 2003 Planning Commission meeting and discussion regarding and action regarding other possible changes to the November and December meeting schedule.

Recommendation: Discuss and approve holiday meeting schedule.

TENTATIVE UPCOMING AGENDA ITEM FOR THE NOVEMBER 25, 2003 MEETING:

- SD-03-01: McLaughlin-Jones
- DA-03-02: McLaughlin-Jones
- ZA-03-02: McLaughlin-Jones
- GPA-03-06: Central-South County Housing
- SD-03-11: Cochrane-Coyote Estates
- DA-03-10: Cochrane-Coyote Estates
- UPA-88-05" El Toro-AT&T Wireless
- DAA-00-08: Malaguerra-Ansuini/Mancias
- DAA-02-07: Shafer-Bamdad
- ANX-03-04: Burnett-MHUSD Sobrato High School
- USA-03-04: Burnett-MHUSD Sobrato High School
- ZA-03-05: Burnett-MHUSD Sobrato High School
- GPA-03-05: Burnett-MHUSD Sobrato High School
- General Plan Update Annual Review

ANNOUNCEMENTS:

Chamber of Commerce request to appoint a Planning Commission representative to serve on the Chamber's Economic Development Committee.

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A

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SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.